

REMARKS

This amendment is submitted under 37 C.F.R. 1.116 Expedited Procedure, as an amendment after Final Rejection. Applicants respectfully requests consideration and entry of the present amendment responsive to the Office Action of January 15, 2004. The instant amendment is respectfully believed to place the application into condition for allowance. Alternatively, Applicants request that the finality of the Office Action be reversed.

Claims 1-11, 13-16, 18-25 and 27-29, 31-39 and 41 are rejected under 35 U.S.C. §103(a) from Bunin et al. U.S. Patent No. 5,907,651 in view of Yanagawa et al. U.S. Patent No. 5,297,228. In addition, claims 12 and 26 are rejected under 35 U.S.C. §103(a) from Bunin and Yanagawa in view of Applicants Admitted Prior Art (AAPA).

The above rejections were maintained by the Examiner from the prior Office Action sent on October 14, 2003, thereby resulting in a final rejection in the present Office Action. Applicants, however, believe that the determination of finality was not proper and that the above claim amendments place the instant application in condition for allowance

In an attempt to further clarify the significance of field upgradable substrate modules, each of the independent claims (claims 1, 21 and 33) has been amended to specify that “the substrate module [is] configured to be held in place in a fiber optic circuit without the use of adhesive to enable the substrate module to be removed and replaced at the location in which the fiber optic connection system is located.” Support for the claim amendments may be found on page 13, lines 10-20 of Applicant’s specification. Thus, it can be seen that no adhesive compounds are used to secure the substrate module in place, highly facilitating repair in the field should the substrate module fail.

In contrast, the Examiner states that replaceability and removability is not limited because bonds can be broken or dissolved. The Examiner, however, fails to understand that field upgradeability was not possible heretofore. While it is conceivable that the bonds in the devices of the prior art possibly could be broken, there was not any way for the modules to be replaced on site in the field. Furthermore, they certainly could not be replaced without using an adhesive. Applicant’s device requires no adhesive.

Furthermore, the Examiner argues that discarding the entire assembly, since the substrate is part of such assembly, falls under the limitation of being "manually replaceable" or "removably replaceable". However, as Applicants have repeatedly pointed out in the specification, and as the claims now stand, clearly the present invention provides the benefit that the entire assembly does not indeed have to be discarded. This results in huge cost savings and ease of use. As such, the long-felt need for a simple and inexpensive field upgradeable module has been met. Certainly the fiber optic industry looks for cost sensitive solutions to failures. As described above, Applicants' invention of a field replaceable unit bypasses the failures of others in the field to provide a cost-effective solution.

In light of the above, reconsideration and withdrawal of the rejections are respectfully requested. This application is believed to be in condition for allowance upon entry of the presently amended claims.

Respectfully submitted,

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